

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RODNEY L. PETTY
Petitioner

v.

JOHN C. THOMAS, et al.
Respondents

: **CIVIL ACTION**
:
: **NO. 14-4578**
:
:
:

ORDER

AND NOW, this 24th day of April 2017, upon consideration of the pleadings and record herein, and after careful and independent consideration of the *Report and Recommendation* submitted by United States Magistrate Judge Marilyn Heffley, [ECF 35], Petitioner's *objections* thereto, [ECF 36], and Respondents' *response*, [ECF 38], it is hereby **ORDERED**, consistent with the accompanying Memorandum Opinion filed on this day, that:

1. The *Report and Recommendation* is **APPROVED** and **ADOPTED**.
2. Petitioner's objections are **OVERRULED**.
3. Petitioner's petition for a writ of *habeas corpus* is **DENIED**.
4. There is no probable cause to issue a certificate of appealability.

The Clerk of Court is directed to **CLOSE** this matter.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court